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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,067	11/29/2001	Hiroyuki Hirata	YKI-0081	4811

23413 7590 09/29/2003

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EXAMINER

BORISSOV, IGOR N

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

Office Action Summary	Application No.	Applicant(s)	
	09/997,067	HIRATA ET AL.	
	Examiner	Art Unit	
	Igor Borissov	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1,2,5-9,11,12,14,16,17,19,21,23,24 and 26-28 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1,2,5-9,11,12,14,16,17,19,21,23,24 and 26-28 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 5-9, 11-12, 14-17, 19, 21 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over PCT Application WO 00/30338 (WO 00/30338) in view of Manico et al. (U. S. 6,373,551).

WO 00/30338, which appears to be published on May 25, 2000, teaches to an electronic film system and method of film processing, comprising:

As per claims 1, 7-8, 11-12, and 19,

- inputting data stored in a user device (page 2, line 16; page 48, lines 20-21);
- storing said data in a server computer connected to said network in association with a unique address or unique data assigned to the user (page 32, line 8 through page 35, line 22);
- transmitting said data to a terminal connected to said network when the user accesses said server computer from the terminal using said unique address, or unique data (page 2, line 16; page 32, line 8 through page 35, line 22).

WO 00/30338 does not specifically teach for "returning" of the user device.

Manico et al. teach to a system and method for communication of digital images generated from photographic film, wherein a one-time use camera is employed.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify WO 00/30338 to incorporate the "returning" feature because it would allow the customers, who do not have access to web connection, to maintain and retrieve their digital images via Internet.

As per claim 2, Manico et al. teach said system and method, wherein said address is previously provided in said device in a form, which is visible to the user (column 3, lines 13-16, 44-46).

As per claims 5, 14 and 21, WO 00/30338 teaches said system and method, wherein said address is generated from information associated with the user (page 32, line 8 through page 35, line 22).

As per claims 6, 16 and 23, Manico et al. teach said system and method, wherein said address is URL (column 3, lines 13-15, 56-59; column 5, lines 43-45, 65-67).

As per claims 9, 17 and 24, WO 00/30338 teaches said system and method, wherein said data includes image data and/or voice data (page 44, lines 21-23; page 45, line 30 through page 46, line 6).

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/30338 and Manico et al.

As per claims 26-28, WO 00/30338 and Manico et al. teach all the limitations of claims 26-28, including storing the unique address or unique data in a memory of the user device, except that said unique address or unique data is stored in a root directory area in the memory of said device.

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Official notice is taken that storing data in a root directory is well known (See, for example, Takahashi et al. U. S. 5,819,261; column 39, lines 29-34).

Therefor, it would have been an obvious matter of design choice at the time the invention was made to modify WO 00/30338 and Manico et al. to include that said unique address or unique data is stored in a root directory area in a memory of said device, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of WO 00/30338 and Manico et al. would perform the invention as claimed by the applicant with structuring the memory of the user device in any fashion.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks
Washington D.C. 20231***

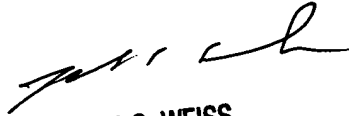
or faxed to:

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(703) 872-9306

[Official communications; including
After Final communications labeled
"Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
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